





an analyte (see present application, page 5, lines 15-23). Therefore, the product resulting from Cote's process cannot necessarily and inherently be used as a secondary standard.

### B. Rejection Under 35 U.S.C. § 103(a)

Claims 1-32 stand rejected as obvious over Cote in view of U.S. Patent No. 6,077,669 (Little).

Little discloses use of control samples containing known starting quantities of nucleic acid sequences (Little, col. 8, lines 8-12). Like Cote, Little also fails to disclose or suggest a standard comprising at least one dye in an amount effective to simulate a known amount of analyte, as recited in claims 1-16. Little similarly fails to disclose or suggest a process involving a secondary standard, as recited in claims 17-32, since Little's control samples contain the assayed entity (nucleic acids). Because each limitation is not taught or suggested, Applicants respectfully request that the obviousness rejection be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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